

A Full and True ACCOUNT
OF THE
Tryal, Conviction, & Condemnation
OF THE
SCOTCH REBELS,
OFFICERS in the
L. Dunbartons Regiment;

At Bury St. Edmunds in SUFFOLK,

(On Wednesday, July 31st, 1689.)

For High-Treason.

10. Aug. 1689. Licens'd, according to Order, 1689.

THERE having been in March last, a Notorious Defection amongst the *Scotch Regiment*, commanded by the Lord *Dunbarton*, at *Ipswich* in the County of *Suffolk*; whence, in a Hostile and Rebelious Manner, they marched from place to place, until at *Spalding* in *Lincolnshire*, his Majesty's Forces encompassing them, they threw down their Arms, and submitted to Mercy; were made Prisoners of War, and afterwards brought up to *London*, where about Forty of the most notorious Criminals were committed to *Newgate* and the *Gatehouse*.

For Tryal of whom, the Judges at their last Assizes at *Bury St. Edmunds* in *Suffolk*, made an Adjournment, since which, Orders being given for Tryal of Eight of them at *Bury* the Thirtieth of July.

Viz.

Captain --- <i>Sutherland</i> ,	<i>Alexander Gawnie</i> , Adj.
Cp. <i>John Auchmonty</i> ,	<i>Patrick Cunningham</i> ,
Cp. <i>William Deanes</i> ,	<i>James Innes</i> , and
Cp. <i>John Levingslon</i> ,	<i>Robert Johnson</i> .

But it being prov'd that Captain *Sutherland* was so indisposed as that he could not be remov'd without Hazard of his Life, the other Seven only were sent down under a Guard, and secured in *Bury Goal*.

And Indicted before Sr. *William Dolbin*, and Mr. *Baron Turton*,

For High Treason, in Rebelling and Levying War against their Majesties, their Crown and Dignity, &c.

Which being found by the *Grand Jury* against all of them, they were Arraigned, the first Four in one Indictment, and the Three latter in another; to which they severally pleaded not Guilty; and pray'd a Copy of the Jury return'd, and Council, as to matters of Law, both which was granted.

Next Day, *viz.* *July* the Thirty first, the Court being sate, and a mighty Confluence of People from all parts of the Country came in to hear the Tryal, the Jury were called over, being 108 Persons, of divers Ranks and Qualities, but not one who had less than Forty Pounds a Year in Land.

The King's Solicitor excepted against Tow and no more; but the Prisoners against many.

In fine, the Jury being agreed on and sworn, the Tryal was adjourn'd to the next Day, August 1st.

And then Capt. John Auchmonty was brought upon his Tryal. The King's Winesses were Mr. Robert Brin Agent to the said Regiment, Lieutenant Patric Berkeley, and Lieutenant Robert Bruce, and Sixteen of the Countrey, from Ipswich, from Stow-Market, Turnham, Milden-Hall, &c. Who gave a mighty full Evidence; against the Three first, as to the Rebellion and Levying of War at Ipswich, and proceedings to Spalding, which the Countrey also proved from place to place, and their Carriage and Actions, their Pressing their Men, Horses, Carts, &c.

The Captain alledged the Souldiers mutined, and made him and other Officers Prisoners, and what he did was a force upon him, and many other Insignificant Excuses, as that their Majesties were not Crowned, to which it was Answered they were King and Queen by Act of Parliament, and that Levying War against them, was Rebellion, High-Treason, &c.

The Concerning the Rebellion, and the continued and repeated Acts of Rebellion and Levying War being fully proved, the Jury found him Guilty of High-Treason.

Upon which the other Three, viz. Captain Deanes, Captain Livingston, and Adjutant Gamme, Petitioned the Court, That they might be permitted to withdraw their Plea, they would plead Guilty, and throw them-

selves at their Majesties Mercy, which the Court Granted.

Which also did Cuttingham, Inuas, and Johnson, who were in the other Indictment, and the Court also Granted it.

Then being Called to know what they had to say, Why Judgement of Death should not pass upon them to Die according to the Law, said, They all threw themselves at their Majesties Royal Feet for Mercy, and humbly besought the Judges to Intereede with their Majesties for them, and that they would spend the Remainder of their Lives in his Majesties faithful Service, wherever he should please to Command them. That it was great Mortification to them to be so unfortunate as to fall under these Crimes, and the disfavour of the King, whom some of them had long served in Holland, &c.

Mt. Gamme (being a Romanist) said, He would serve his Majesty wherever he should Command him, and as far in any thing as he was Capable, and wherein he could not do as others, to assure his Fidelity, would give Security.

They indeed did all of them behave themselves with great Modesty and Prudence as Gentlemen and Souldiers, and seemed really inclined to give all Demonstrations that Men could of their future Intentions of Loyalty, &c.

In Conclusion, Sentence of Death was passed on them all as in Cases of High-Treason.